

ARMENTA & SOL, PC

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Attorneys for Plaintiffs

JOHN DOE, MICHAEL DOE, JAMES DOE,
HENRY DOE, ROBERT DOE, CHRISTOPHER
DOE, MATTHEW DOE, POLLY ST. GEORGE,
SCOTT DEGROAT, DAVID J. HAYES, DANIEL
LEE, MISHEL McCUMBER, JEFF PEDERSEN,
JORDAN SATHER, SARAH WESTALL

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN DOE, an individual; MICHAEL
DOE, an individual; JAMES DOE, an
individual; HENRY DOE, an individual;
ROBERT DOE, an individual;
CHRISTOPHER DOE, an individual;
MATHEW DOE, an individual; POLLY
ST. GEORGE, an individual; SCOTT
DEGROAT, an individual; DAVID J.
HAYES, an individual; DANIEL LEE,
an individual; MISHEL McCUMBER, an
individual; JEFF PEDERSEN, an
individual; JORDAN SATHER, an
individual; SARAH WESTALL, an
individual,

Plaintiffs,

vs.

GOOGLE, LLC., a Delaware limited
liability company; YOUTUBE LLC, a
Delaware limited liability company;
DOES 1 through 10, inclusive.

Defendants.

Case No. 5:20-cv-07502

Hon.

**DECLARATION OF M. CRIS
ARMENTA RE SERVICE OF
INITIATING PAPERS, EX PARTE
APPLICATION AND SUPPORTING
DOCUMENTS, COURT'S ORDERS**

Date Filed: October 26, 2020

Declaration of M. Cris Armenta

I, M. Cris Armenta, declare:

1. I am an attorney in good standing with the State Bar of California and admitted to practice before this Court. I am a shareholder in Armenta & Sol, PC, counsel of record to Plaintiffs JOHN DOE, MICHAEL DOE, JAMES DOE, HENRY DOE, ROBERT DOE, CHRISTOPHER DOE, MATTHEW DOE, POLLY ST. GEORGE, SCOTT DEGROAT, DAVID J. HAYES, DANIEL LEE, MISHEL McCUMBER, JEFF PEDERSEN, JORDAN SATHER, SARAH WESTALL. I make this Declaration based on my own personal knowledge and if called as a witness, I could and would testify competently as follows:

2. On October 26, 2020, at 11:46 a.m., after the Complaint was filed, I emailed the Summons for YouTube, the Summons for Google (although they had not yet been issued by the Clerk), the Civil Cover Sheet and the Complaint to David Kramer, Lauren Gallo White and Kelly Knoll, all attorneys at Wilson Sonsini Goodrich & Rosati, counsel to Google LLC and YouTube LLC ("Defendants' Counsel"). In that email, I also advised Defendants' Counsel that the Plaintiffs intended to seek emergency relief. I have previously been in regular email and telephone contact with these attorneys in another currently pending case in which Google and YouTube are defendants and have found email transmissions with them to be reliable. The email addresses used for all transmissions were: lwhite@wsgr.com; dkramer@wsgr.com; kknoll@wsgr.com

3. I also caused the initial case opening papers to be served on YouTube and Google's corporate Agent for Service of Process in an abundance of caution, and their agents were served on October 26, 2020 at 1:18 p.m. Attached as Exhibit A is a true and correct copy of the service notice I received, along with the Proofs of Service for each of the Defendant entities.

4. On October 27, 2020, as the Ex Parte Application, Declarations, and Proposed Order were being uploaded, I also emailed these papers or shared a link to them with Defendants' Counsel as follows: Application for TRO and Proposed Order at 11:02 a.m. I provided Defendants' Counsel, via email, the Declarations and Exhibits, via an email link to a shared file at 12:01 p.m. and directed them to PACER for the conformed copies. I attest that the copies I

1 provided Defendants' Counsel were identical to those that were in the process of being uploaded
2 through the Court's ECF system. I followed up via email at 12:10 p.m., asking for confirmation
3 of receipt and advising that Defendants' Counsel should contact me if they had trouble opening
4 any of the pdf's or the shared filed link. Because I received no return emails or confirmations of
5 receipt, between 1:32 p.m. and 1:40 p.m., I telephoned each of the three Defendants' Counsel also
6 and left voicemails for Mr. Kramer and Ms. White. I reached Ms. Knowles, who directed me to
7 send any notices or information via email only.

8 5. On October 27, 2020, I received an email from Ms. Hallo White, confirming the
9 receipt of the Ex Parte Notice and requesting the identification of the DOE Plaintiffs advising
10 they needed them to check conflicts, a briefing schedule of an extra week or two in order to
11 investigate. I responded and advised that none of the DOE Plaintiffs have ever been represented
12 by Defendants' Counsel and I would be prepared to offer a declaration to that effect. I also
13 advised that our clients would not voluntarily extend or agree to delay the time for briefing, given
14 the nature of the relief sought and the rights at issue and due to the impending election on
15 Tuesday, November 4, 2020.

16 6. On October 28, 2020, at 10:10 a.m. I provided a copy of this Court's Order,
17 Docket 16 to Defendants' counsel via email and asked that they confirm receipt. At 11:03 p.m., I
18 advised the Clerk of the Court that for the Plaintiffs, Credence Sol and I would appear for the
19 Plaintiffs on Monday, November 3, 3030. I copied this email to Defendants' Counsel. By 1:09
20 p.m., I still had not heard from Defendants' counsel, so I left a voicemail for each of them at 1:10
21 p.m., 1:11 p.m., and 1:12 p.m.

22 7. On October 28, 2020 at 1:37 p.m., I provided the Defendants' Counsel, via email,
23 this Court's docket entries re the Zoom hearing and this Court's Docket 18 regarding the
24 provision and filing of a proof of service on the Defendants.

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1 8. In an abundance of caution, the entirety of the papers are also being served on
2 Defendants' Agent for Service of Process, but I have not yet obtained the Proof of Service with
3 respect to the service on the agent in Sacramento.

4 I declare under the penalty of perjury under the laws of the United States of America that
5 the foregoing is true and correct and that I executed this Declaration on October 28, 2020.

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7 /s/ M. Cris Armenta

8 M. Cris Armenta
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EXHIBIT A

Cris Armenta

From: Lance Casey <notifications@mail.servemanager.com>
Sent: Tuesday, October 27, 2020 2:25 PM
To: Cris Armenta
Subject: [ServeManager] Job #5013252 Served

Served

Lance Casey shared a service notification with you:

Details

Process Server: Lance Casey

Date & Time: Oct 27, 2020, 1:10 pm PDT

Service Type: Registered Agent

Description of Service:

Koy Saechao

Recipient

Recipient: Google, Inc c/o CSC Lawyers Incorporating Service

Description of Recipient:

Service Address

2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833

Job & Case

Job: 5013252

Recipient: Google, Inc c/o CSC Lawyers Incorporating Service

Case: 5:20-cv-07502

Plaintiff:

Defendant: Youtube LLC

Court: United States District Court for the Northern District of California

County:

Documents: Summons, Civil Cover Sheet, Complaint

Shared with you by:

Lance Casey
5 Star Legal Support Services, Inc.
serviceofprocess916@gmail.com
8006834769

Cris Armenta

From: Lance Casey <notifications@mail.servemanager.com>
Sent: Tuesday, October 27, 2020 1:19 PM
To: Cris Armenta
Subject: [ServeManager] Job #5013268 Served

Served

Lance Casey shared a service notification with you:

Details

Process Server: Lance Casey

Date & Time: Oct 27, 2020, 1:18 pm PDT

Service Type: Registered Agent

Description of Service:

Recipient

Recipient: Youtube LLC c/o CSC Lawyers Incorporating Service

Description of Recipient: Koy Saechao

Service Address

2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833

GPS Data

Mobile Device: Android 10

GPS Coordinates: [38.6162683, -121.5165211](#)

GPS Timestamp: 1603829617604

Job & Case

Job: 5013268

Recipient: Youtube LLC c/o CSC Lawyers Incorporating Service

Case: 5:20-cv-07502

Plaintiff:

Defendant: Youtube LLC

Court: United States District Court for the Northern District of California

County:

Documents: Summons, Civil Cover Sheet, Complaint

Shared with you by:

Lance Casey
5 Star Legal Support Services, Inc.
serviceofprocess916@gmail.com
8006834769

Civil Action No. 5:20-cv-07502

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Youtube LLC c/o CSC Lawyers Incorporating Service was received by me on *(date)* 10/26/2020.

- ☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* Youtube LLC c/o CSC Lawyers Incorporating Service - Koy Saechao, who is designated by law to accept service of process on behalf of *(name of organization)* Youtube LLC c/o CSC Lawyers Incorporating Service on *(date)* Tue, Oct 27 2020; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ _____ for travel and \$ \$75 for services, for a total of \$ 75.

I declare under penalty of perjury that this information is true.

Date: 10/27/2020



Server's signature

Lance Casey

Printed name and title

2386 Fair Oaks Blvd, Sacramento, CA 95825

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: Oct 27, 2020, 1:18 pm PDT at 2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833 received by Youtube LLC c/o CSC Lawyers Incorporating Service. Other: Soy Saechao ;

2) Successful Attempt: Oct 27, 2020, 1:18 pm PDT at 2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833 received by Youtube LLC c/o CSC Lawyers Incorporating Service. Other: Koy Saechao ;

Civil Action No. 5:20-cv-07502

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Youtube LLC c/o CSC Lawyers Incorporating Service was received by me on *(date)* 10/26/2020.

- ☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* Youtube LLC c/o CSC Lawyers Incorporating Service - Koy Saechao, who is designated by law to accept service of process on behalf of *(name of organization)* Youtube LLC c/o CSC Lawyers Incorporating Service on *(date)* Tue, Oct 27 2020; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ _____ for travel and \$ \$75 for services, for a total of \$ 75.

I declare under penalty of perjury that this information is true.

Date: 10/27/2020



Server's signature

Lance Casey

Printed name and title

2386 Fair Oaks Blvd, Sacramento, CA 95825

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: Oct 27, 2020, 1:18 pm PDT at 2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833 received by Youtube LLC c/o CSC Lawyers Incorporating Service. Other: Soy Saechao ;

2) Successful Attempt: Oct 27, 2020, 1:18 pm PDT at 2710 Gateway Oaks Dr Suite 150N, Sacramento, CA 95833 received by Youtube LLC c/o CSC Lawyers Incorporating Service. Other: Koy Saechao ;